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from **HOLLY D. KOZLOWSKI**
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To: Commissioner for Patents

Fax Number: 571-273-8300

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(including cover)

4

Comments:

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PATENT

JAN 16 2007

Docket No: 25401-39

CERTIFICATE OF FACSIMILE

I hereby certify that this paper is being transmitted via facsimile to: Mail Stop Amendment; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450 at facsimile number 571-273-8300 on January 16, 2007.

Amis S. Rade

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Ulf Gyllensten et al : Paper No.
Serial No.: 10/529,447 : Group Art Unit: 1637
Filing Date: March 28, 2005 : Examiner: Thomas, David C.
For: Method and Kit for Quantitative and Qualitative Determination of Human Papillomavirus

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Response in the above-identified application.

- ☐ Additional fee is required.
☐ Also attached:
The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUS PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	20	20	0	x 50 =	\$0.00
Independent Claims	2	2	0	x \$200 =	\$0.00
TOTAL FEE DUE					\$0.00

- [X] The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 04-1133, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

By:

Holly D. Kozlowski

Holly D. Kozlowski
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1341921V1

PATENT

January 16, 2007.
Bernie S. Sale
IN THE UNITED STATES

PAGE 3/4 * RCVD AT 1/16/2007 1:23:55 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/37 * DNIS:2738300 * CSID: * DURATION (mm-ss):01-18

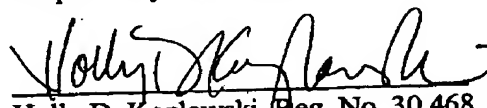
Application Serial No. 10/529,447
Response filed January 16, 2007
Official Action dated December 14, 2006

This election is traversed and reconsideration is respectfully requested. That is, independent claim 9 recites a kit for detection and quantification of HPV. The kit comprises the amplification primers of SEQ ID NOS. 1-8 and SEQ ID NOS. 21-24. Thus, all the amplification primers of SEQ ID NOS. 1-8 and all of the probes of SEQ ID NOS. 21-24 are required by claim 9. Thus, an election of any one pair of primer sequences and/or any one pair of probe sequences is inconsistent with the invention defined by claim 9. Since claim 9 does not recite these primers or probes as alternate embodiments, for example in a Markush group, the election requirement is not proper. Similarly, claim 9 optionally further requires the amplification primers of SEQ ID NOS. 9-18 and the probes of SEQ ID NOS. 25-29. Again, this optional embodiment of claim 9 requires all of the primers of SEQ ID NOS. 9-18 and all of the probes of SEQ ID NOS. 25-29. Election of any one pair of primers or probes is again inconsistent with the recited embodiment of the invention defined by claim 9. Accordingly, withdrawal of this election requirement is respectfully requested.

The undersigned telephoned the Examiner to discuss the withdrawal of this election requirement. The Examiner informed the undersigned that it was understood that all of the sequences of the respective groups III-X and XI-XX are required by claim 9 and that an election was required only to facilitate searching of the invention. To provide a complete response to the Official Action, therefore, Applicants elect the primer pair of SEQ ID NOS. 1 and 2, the probe of SEQ ID NO. 21, the primer pair of SEQ ID NOS. 9 and 10 and the probe of SEQ ID NO. 25. This election is only made for the present response to be considered as fully responsive, as an election among required primer sequences and probe sequences is, as discussed above, inappropriate.

Examination on the merits is requested.

Respectfully submitted,


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